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Convention on the Elimination of All Forms of Discrimination against Women

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Committee on the Elimination of Discrimination against Women
Fifty-eighth session

Summary record (partial)* of the 1228th meeting
Held at the Palais des Nations, Geneva, on Tuesday, 8 July 2014, at 3 p.m.

Chairperson: Ms. Jahan (Vice-Chairperson)

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Combined fourth and fifth periodic reports of Georgia (continued)

* No summary record was prepared for the rest of the meeting.

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In the absence of the Chairperson, Ms. Jahan (Vice-Chairperson), took the Chair.

The meeting was called to order at 3 p.m.

Consideration of reports submitted by States parties under article 18 of the Convention (*continued*)

Combined fourth and fifth periodic reports of Georgia (continued)
(CEDAW/C/GEO/4-5; CEDAW/C/GEO/Q/4-5 and Add.1)

1. *At the invitation of the Chairperson, the delegation of Georgia took places at the Committee table.*

Articles 1 to 6 (continued)

2. **Ms. Gugeshashvili** (Georgia) said that internally displaced women received special protection. They had the right to subsidized housing and social security support and could also apply for income-generating grants to establish their own small businesses.

3. **Ms. Jashi** (Georgia) said that a series of special temporary measures had been implemented to establish gender equality in Georgia. Women benefited from favourable pension arrangements, targeted social security assistance and, in the case of female-headed households, income tax exemptions.

4. **Mr. Amanatidze** (Georgia) said that the Ministry of Defence had introduced a gender equality strategy in 2014 which aimed to encourage more women to join the armed forces and facilitate their access to senior decision-making positions.

5. **Ms. Peradze** (Georgia) said that the Ministry of Internal Affairs had developed an action plan to increase awareness of gender equality issues and encourage more women to participate in public and political life. Steps had also been taken to recruit more female prison officers in national detention centres.

6. **Ms. Kvirikashvili** (Georgia) said that the Criminal Code prohibited all types of sexual violence, including violence committed by a spouse or family member. Acts of rape or sexual violence committed by persons acting in an official capacity were considered an aggravating circumstance and were subject to harsher punishment.

7. **Ms. Jashi** (Georgia) acknowledged that there had been a lack of workplace inspections and said that the Government had launched a review of the Labour Code in order to strengthen the labour inspectorate's capacities. Efforts had also been made to improve the provisions of national migration legislation so that victims of trafficking could benefit from greater protection.

8. **Ms. Peradze** (Georgia) said that the Government had taken proactive steps to identify victims of trafficking and had established an anti-human trafficking department in January 2014. It had also signed a memorandum of understanding with the International Organization for Migration (IOM) in February 2014 in an attempt to increase the capacity of law enforcement agencies to combat human trafficking. The memorandum provided for the establishment of an anti-human trafficking task force in the Ajaria Autonomous Republic which would identify, investigate and prosecute cases of human trafficking.

9. **Mr. Lordkipanidze** (Georgia) said that the Government had strengthened national legislation in 2012 so as to provide enhanced protection for child trafficking victims and had introduced an anti-human trafficking action plan in March 2014. A dedicated State fund had been established which provided support and rehabilitation measures to victims of trafficking and steps had been taken under the auspices of the Inter-agency Council for the Prevention of Domestic Violence to strengthen the provisions of the Criminal Code pertaining to acts of exploitation and non-physical coercion.

Articles 7 to 9

10. **Ms. Zou** Xiaoqiao asked whether the State party intended to adopt and implement any specific results-oriented measures, including temporary special measures, such as gender quotas, in order to increase women's limited participation in political and public life. What was being done to increase their representation on elected self-governance bodies and participation in the peace process and the security sector, which was one of the four pillars of the 2012–2015 national action plan for the implementation of the Security Council resolutions on women, peace and security? In the light of the women's poor performance in recent parliamentary elections, she also wished to know whether the Government had devised a concrete plan of action to increase the number of women candidates in future.

Articles 10 to 14

11. **Ms. Hayashi** asked whether measures had been taken to guarantee the right to education for girls without Georgian nationality and identify and address barriers which deprived girls with disabilities and from disadvantaged and ethnic minority backgrounds of their right to education at the elementary, primary and secondary school levels. She also wished to know whether efforts had been made to tackle early marriage and mitigate its negative effect on school dropout rates for girls. Had measures been taken to include age-appropriate sexual and reproductive health education in the national curricula?

12. Lastly, she requested further information on measures taken to implement the Committee's previous recommendations (CEDAW/C/GEO/CO/3) to further encourage diversification of the educational choices of boys and girls and hold a public dialogue on the educational choices made by girls and women and their subsequent opportunities and chances in the labour market. Had steps been taken to improve the gender balance among teachers at all levels of education and promote women's overall standing in academia?

13. **Mr. Bruun** asked whether steps had been taken to carry out in full the principle of equal pay for work of equal value contained in the Law on Gender Equality of 2010. He requested further information on specific legislation prohibiting sexual harassment in the workplace, on measures taken to encourage and oblige employers to ensure a working environment free from sexual harassment as well as on the number of sexual harassment cases brought before the courts. He also wished to know whether measures had been introduced to prevent discrimination against pregnant women and new mothers. Had the State party considered ratification of the International Labour Organization (ILO) Maternity Protection Convention, 2000 (No. 183)? Lastly, he asked whether, as part of its efforts to reintroduce labour inspections, the Government intended to expand the labour inspectorate's capacities to encompass gender equality issues.

14. **Ms. Nwankwo**, while commending the State party for extending the State health insurance plan to underprivileged persons, said that she was concerned at continued funding shortfalls, reliance on private donors and the fact that contraceptives were not considered essential medicines. Accordingly, she asked whether the Government intended to increase appropriations for family planning services, in particular to make contraceptives more available, affordable and accessible. Given the alarming rates of sex-selective abortions among certain ethnic minorities and the fact that abortion in general still constituted one of the main forms of birth control, she wished to know whether the Government might include family planning services in the basic benefit package and improve sexual and reproductive health education for the population as a whole and youth in particular.

15. Pointing out that the maternal mortality rate was not falling fast enough to meet the relevant Millennium Development Goal by 2015 and that the findings of independent studies differed widely from official figures, she asked what steps the Government was

taking to enhance data collection and further reduce maternal mortality. She enquired about any plans to adequately measure the number of female drug users, including detainees and pregnant women, in order to better target policies and treatment. She wished to know whether legislation on HIV/AIDS tackled the particular vulnerability of sex workers and migrant women.

16. **Ms. Kobakhidze** (Georgia) said that the Government was aware that 11 per cent representation of women in parliament was insufficient, but that progress was being made and discussions were ongoing with political parties and other actors on how to increase the number of women in all three branches of government.

17. **Ms. Zhvania** (Georgia), providing a series of statistics on female electoral candidates, said that there had been an increase in the recent local elections compared to the previous ones in 2010. In addition to the incentives contained in the Election Code and Law on Political Unions, a training course had been designed for women who wished to run for office. Among those who had taken the course, many had gone on to run and a number had been elected. Furthermore, gender-disaggregated data had been collected for the first time during the 2014 elections, which had revealed that half of eligible female voters had turned out.

18. **Ms. Gabitashvili** (Georgia) said that the Law on General Education stipulated that stateless and refugee children were entitled to an education, provided that they had a residence permit. Textbooks were available in Azeri and Armenian. The Government did not collect data on the reasons why students dropped out of school, so it was impossible to know to what extent early marriage was a factor. Nevertheless, the Ministry of Education and Science was addressing the issue and children who abandoned school could resume their studies. Regarding students with disabilities, she said that integrated classrooms had been introduced in public schools in 2013 and that inclusiveness was mandatory in vocational establishments.

19. **Mr. Tangiashvili** (Georgia) said that the Law on General Education guaranteed the right to mother-tongue instruction. However, the policy was to encourage command of Georgian among minorities as a means of furthering integration and educational attainment. Programmes had been rolled out to train, recruit and deploy Georgian-as-a-second-language teachers and Georgian language centres had been set up across the country. Since the 2010/2011 academic year, 5 per cent of places in higher education establishments had to be allocated to minority students, including young women.

20. **Mr. Dolidze** (Georgia) said that explanatory video clips on the Association Agreement between Georgia and the European Union had been translated into minority languages and that keeping minorities informed in general was a focus of the Government's current communication strategy.

21. **Ms. Jashi** (Georgia) said that the Government, with the support of the United States Department of Labour, was developing a policy to address employment inequalities. Although Georgia was a party to ILO Equal Remuneration Convention, 1951 (No. 100), a gender pay gap remained, primarily due to gender segregation in the various sectors. No measures had yet been taken to correct the imbalance, but the Government was seeking advice from international partners.

22. The Government had adopted comprehensive and integrated regulations on abortion, including protocols for surgical and medical terminations of pregnancy and counselling for both pregnant women and couples; they should enter into force by September 2014. A study was under way to measure the extent and causes of sex-selective abortions, the report of which would be available in October 2014 and would be the basis of an awareness-raising campaign. The recent introduction of universal health care in 2013 had come at a

great cost, obliging the Government to be very selective regarding budget allocations. Coverage of contraceptives was nonetheless being considered.

23. The Government was proud of its achievements in terms of maternal mortality reduction, despite the fact that it would not fulfil its Millennium Development Goal. Efforts were being refocused on expanding perinatal care and enhancing sexual and reproductive health education. The Government was taking steps to improve data collection, such as the introduction of a mandatory, standard death notification system. The delegation took note of the Committee's concern regarding women's access to methadone substitution therapy.

24. **Mr. Lordkipanidze** (Georgia) said that any behaviour that contributed to an intimidating, hostile or humiliating work environment was banned under the Law on Gender Equality. The Labour Code contained a standard non-discrimination clause by which pregnancy could not be grounds for dismissal.

25. **Ms. Zou** Xiaoqiao asked whether the Government intended to make voluntary quotas of women in politics mandatory.

26. **Ms. Kobakhidze** (Georgia) replied that discussions regarding quotas were ongoing and that, in the meantime, financial support had been increased for political parties that met the voluntary quota.

27. **Mr. Bruun** noted that the State party report contained little information concerning article 13. While encouraging information had been provided on women's access to financial resources and their participation in sport, it would be helpful to have specific indicators in future.

28. **Ms. Al-Jehani** said that special attention should be paid to gender mainstreaming in rural development programmes, since half of all women lived in rural areas. She enquired as to the results of the poverty reduction programme, which was said to specifically target rural women. Was there an overall strategy in place to address the education, health and employment needs of those women? Could the State party provide information on measures to promote their participation in decision-making and public life, especially at the local level? Since traditional norms sometimes took precedence over the law in rural areas, rural women rarely inherited immovable property. What action was being taken to protect their property rights and support their economic empowerment? Was there a programme in place to promote women's participation in agricultural cooperatives? She also requested information on measures to establish affordable and accessible kindergartens in rural areas, which was a major concern for rural women. A targeted strategy was required to meet the needs of ethnic minorities and she asked whether there was a special department mandated to ensure the rights of such populations. She enquired about to measures to provide services for women in their native languages and Government efforts to reinforce the rule of common law over customary law in ethnic communities. There was a lack of information in the report relating to women with disabilities and their access to health, education and employment. Referring to general recommendation 27, she expressed concern about the rights of older women and asked whether a relevant policy and legislation were in place. She noted with concern that the supply of social housing for older persons in the country did not meet the demand.

29. **Mr. Kereselidze** (Georgia) said that agricultural and rural development was a national priority. Government policy was non-discriminatory and ensured women equal pay and equal access to employment, land and property, natural resources, essential services and financial support. It also ensured full and equal participation at all levels of decision-making in the public and private spheres. A gender subgroup had been established under the European Neighbourhood Programme for Agricultural and Rural Development, which provided a platform for the exchange of experience in promoting the role of women in agriculture. Agricultural cooperative development agencies had also been established and

corresponding legislation adopted. Currently, 91 cooperatives had been granted official status. Best practices would be promoted and practical training carried out, with a focus on involving women as managers and decision-makers. Regional information and consultation centres had been established around the country and the scope of agricultural extension services would be gradually increased so that a range of actors could deliver sustainable technical support to farmers. Under the preferential agro-credit programme, the Government would provide training and advice to farmers and would work with financial institutions to help credit officers to better understand commercial agribusiness. Specific attention would be paid to supporting women entrepreneurs.

30. **Ms. Chantadze** (Georgia) said that the Constitution and legislation of Georgia ensured equal rights to participate in cultural life. Accordingly, State subsidies were granted to various cultural establishments, including those of national minorities. Within the framework of regional development, several programmes were in place to rehabilitate regional cultural centres.

31. **Mr. Tevzadze** (Georgia) said that the Government observed its international obligations to eliminate gender discrimination in sport. He referred in particular to various recommendations and resolutions of the Council of Europe, programmes implemented by the European Union and the International Charter of Physical Education and Sport of the United Nations Educational, Scientific and Cultural Organization. As recommended by the International Olympic Committee, Georgia had promoted the role of women in national sports committees and federations as leaders and decision-makers. Unfortunately, the overall participation of women and girls in sport still stood at only 11 per cent.

32. **Ms. Kutateladze** (Georgia) said that the Government had issued a recommendation that cities should appoint advisors on gender equality to support the implementation of the Law on Gender Equality and its action plan. Accordingly, women's resource centres had been opened and women had increased access to decision-making at the community and municipal levels. An increased number of women were participating in community meetings, at which they had expressed concerns relating to water issues and the need for local kindergartens and medical centres. Rural women constituted 19 per cent of women who used the resource centres, which offered advice on financial and legal issues and assistance in cases of domestic violence.

33. **Ms. Kobakhidze** (Georgia) said that further information would be submitted in written form after the meeting.

Articles 15 and 16

34. **Ms. Halperin-Kaddari** reiterated the Committee's concern about child marriages and asked whether the Government planned to undertake comprehensive research into that phenomenon. While marriages under the age of 18 were void, certain exceptions to the law such as parental consent could lead to forced early marriage. Did the Government plan to amend the Civil Code to rectify that situation and would it also consider rescinding the provision under the Code that allowed for a 16-year-old to be considered as an adult upon marrying? Furthermore, while engaging in sexual intercourse with persons under the age of 16 was criminalized, underage marriages often served as a means of impunity for offenders when they were followed by unauthorized marriages. Were there any plans to clarify the Criminal Code in that regard and to prosecute offenders who married underage girls? Noting that neither unauthorized child marriages nor church marriages were registered, she asked what the Government was doing to encourage the registration of all marriages. Was it aware of the vulnerability of women whose marriages were not legally recognized or how their economic rights were safeguarded upon divorce? She commended the country's comprehensive legislation on the property relations of spouses, which provided for a community of property. Would the State party consider recognizing intangible property as

part of that community? She referred to general recommendation 29 and said that it was vital to achieve equality and justice in divorce cases.

35. **Ms. Kobakhidze** (Georgia) said that the number of housing facilities for older persons was insufficient and said that the network of State housing should be widened and properly funded. The State party would provide detailed information in writing on early and forced marriages, marriage registration and property rights.

36. She thanked the Committee, which had an important role to play in implementing the Convention around the world. The State party looked forward to its recommendations and would provide further written responses to all its questions. The rights of persons living in occupied territories and conflict-affected communities were a particular concern. She thanked the representatives of the non-governmental organizations, especially those from Georgia who had made special efforts to prepare reports. The State party would duly consider their comments and analysis.

37. **Ms. Jahan** commended the State party on its efforts and encouraged it to take up the Committee's recommendations and ensure that they were implemented for the benefit of all women and girls in Georgia. The Committee took note of the State Party's commitment to ensure gender equality and the elimination of discrimination and looked forward to future cooperation.

The discussion covered in the summary record ended at 5 p.m.